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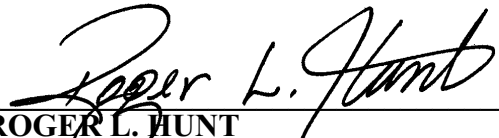
Defendant(s).

## ORDER

// // // //

1 IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommenda-  
2 tion (#36, entered January 9, 2008) is AFFIRMED and ADOPTED; Defendant's Motion to Dismiss  
3 is granted and the case is dismissed.

4 Dated: February 11, 2008.

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7 **ROGER L. HUNT**  
8 Chief U.S. District Judge  
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